

MEETING OF THE CITY OF RUSHVILLE, INDIANA BOARD OF PUBLIC WORKS AND SAFETY

SEPTEMBER 1, 2020

5:30 P.M.

CALL TO ORDER: The Board of Public Works and Safety met on the above date and time at 330 North Main Suite 200 Rushville Indiana. Mayor Pavey called the meeting to order at 5:30 p.m.

ROLL CALL: Gary Cameron, Darrin McGowan, and Dr. John Williams answered roll call. Ron Jarman was not present.

MINUTES: Cameron moved to approve the minutes of the August 18, 2020 meeting as presented. Williams seconded the motion. Motion carried.

MAYOR'S REPORT: None.

CLERK-TREASURER'S REPORT: None.

DEPARTMENT HEAD REPORTS:

Fire – Chief Munson reported that the truck that had water in the oil is out of service and being repaired.

Street – Commissioner Miller received a letter of resignation from Johnny Wood. He will retire October 23 and his last day will be October 1st.

Miller asked permission to hire a part time employee for a couple of months at \$10.00 per hour for 15-20 hours per week. Cameron moved to give Miller permission to take applications for part-time help. McGowan seconded the motion. Motion carried.

Police – Chief Tucker announced that the K-9 golf outing will be September 27th. Sponsors are needed and they still have room for participants. He also handed out the monthly statistics report.

Animal – Director Hanna emailed their numbers for August. She has hired Christy Cleland for part-time.

Park – Director Burklow asked for approval to hire David Riggs full time at \$9.00 per hour to begin immediately. Williams moved to approve the request to hire Riggs. McGowan seconded the motion. Motion carried.

Burklow said there were conversations regarding Indiana Soccer and Indiana Futsal for use of the futsal court. He will discuss further with Newhouse to prepare a memorandum of understanding for liability purposes.

CITIZEN CONCERNS/COMMENTS: None.

UNFINISHED BUSINESS:

1. CCMG Update –

- a. **2019 8th Street Closeout** – Cameron contacted F&V and asked for alternatives for the troubled area. He received a response today. He will review the options and make a recommendation at the next meeting.
- b. **13th Street Culvert** – They have put a fence up. It is scheduled for construction during fall break.
- c. **8th Street Phase II** – After Morgan Street Ph I – They have started.
- d. **4th Street & Cherry Street** – Mill & Resurface – They need to do 4th Street catch basins.

2. **BEP 220 w 3RD** – 1 week delay Infestation. Jenkins said they had a delay due to infestation. They will move forward September 8.

3. **Rushville Property Revitalization Program (Commercial)** - Sheehan is having discussions with 3 different individuals.

4. **Liquidation of Property at Purchaser Request** – We are waiting on a letter.

- a. Resolution 2020-29 Approval to Sell Property –
- b. Market Street R/W (West of Cerro Gordo St) Reviewing title work
- c. 4th Street Property –

5. **Boulder's Award Contract** – Due to 2 bids being very close in price, HWC sent out supplemental questions to two bidders for clarification to assist in determining the most responsive and responsible bidder. Those responses were provided to the Clerk-Treasurer and had been reviewed by the members (and are attached to these minutes). Based on these responses, Williams made a motion to award to the most responsive and responsible bidder namely RL Coon Excavating. Williams indicated that his motion was based on previous experience with RL Coon and their relationship and reputation in these areas. Mayor Pavey indicated the supplemental answers provided additional evidence of the difference in approach of the two entities. Mayor Pavey also indicated he believed a difference did exist in the deployment times between the parties. A representative from Midwest Paving argued that their bid was lower than RL Coon. Mayor Pavey clarified that Midwest Paving was claiming that they were only the lowest bidder, not the lowest and most responsive or responsible bidder. Midwest Paving's representative indicated that he was not aware of any deficiencies in the bid documents and their supplementary answers were satisfactory. Midwest Paving's

representative objected to the motion made by Williams because Midwest Paving was the lower bidder and asked why Midwest Paving's bid was being rejected. Mayor Pavey reiterated that the requirements provided that the contract was to be awarded to bidder determined to be the lowest, most responsive and responsible bidder and that Williams had made a motion to that effect. Mayor Pavey said he will not debate the matter. Cameron seconded the motion. Motion carried.

NEW BUSINESS:

1. Change Orders: Morgan Street –
 - a. Gateway/Trailhead –CO1 Deduct –
 - b. Overlook-CO1 Deduct –
 - c. Animal Shelter – Mayor Pavey handed out a document explaining the animal shelter change orders.
2. **Monthly Project Claims:** Williams moved to approve all claims as presented. Cameron seconded the motion. Motion carried.
 - a. Cherry Street –
 - b. Stellar - \$152,864.55
 - c. CCMG - \$4,438.50
Pay App #4 - \$25,732.99
Pay App #5 - \$25,909.32 (retainage)
Total = \$51,642.31 (Note: Project overage \$186.32)
 - d. Animal Shelter - \$43,991.60
3. **HR Return to Work Policy** – This topic has come to our attention due to Covid and it was determined that we need to clarify our policy. If an employee is off 3 consecutive days they must have a doctor sign off on their specific job description stating that they either can or cannot perform their duties per their job description. The policy for extended medical leave must be signed by their doctor before returning to work. Williams made a motion to approve the return to work policy. McGowan seconded the motion. Motion carried.
4. **Protest Guidelines** – Newhouse is working on this.
5. **Coronavirus (Covid-19)** Governor continues stage 4.5-
 - a. Face Coverings September 25
 - b. Public Health Emergency October 2
 - c. Rush County Covid-19 Taskforce – Twice a month
 - d. Economic Recovery Taskforce – Twice a month
 - e. Libations by the Levee is the only event on the calendar that is in question. They are meeting with the health board to determine what to do.

ITEMS NOT KNOWN IN ADVANCE: None.

ADJOURN: There was no further business to come before the Board; McGowan moved to adjourn. The meeting adjourned at 6:00 p.m.

Brian Sheehan

From: Matt Maple <mmaple@hwcengineering.com>
Sent: Friday, August 28, 2020 9:33 AM
To: Russell Brown (rbrown@clarkquinnlaw.com); Mike Pavey
Cc: Brian Sheehan
Subject: FW: Rushville - Clarification of Bids - The Boulders at Rushville - Section 1

See below for the additional information requested from Midwest Paving.

Matt Maple, PE
Project Manager

HWC Engineering

135 N. Pennsylvania Street, Suite 2800
Indianapolis, IN 46204
317-981-1248
317-727-8835 (M)
www.hwcengineering.com



From: Tim Beyer <tbeyer@midwestpavingllc.com>
Sent: Friday, August 28, 2020 9:23 AM
To: Matt Maple <mmaple@hwcengineering.com>
Subject: Re: Rushville - Clarification of Bids - The Boulders at Rushville - Section 1

Matt,

See responses to the questions below (in green). Let me know if there are any other questions or concerns. We are looking forward to working with you and the City on this project. Please advise when this project award will be on the City's agenda. We'd be happy to have a representative at the meeting.

Thank you.

Timothy A. Beyer, PE, PS
Midwest Paving
16105 River Road
Noblesville, IN 46062
Office: 317-776-8925
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Fax: 317-776-8921
E-mail: tbeyer@midwestpavingllc.com
LinkedIn: www.linkedin.com/in/timbeyer



From: Matt Maple <mmaple@hwcengineering.com>

Sent: Friday, August 21, 2020 4:39 PM

To: Tim Beyer <tbeyer@midwestpavingllc.com>

Subject: Rushville - Clarification of Bids - The Boulders at Rushville - Section 1

Tim,

The City has asked for a clarification of the bids for The Boulders at Rushville – Section 1.

Please provide additional information as requested below.

Let me know if you have any questions.

The City of Rushville has the following additional questions necessary to determine which of certain bidders are the lowest, responsive and responsible bidder. Please provide the following information no later than 4:00 P.M. on Friday, August 28, 2020. Failure to provide the requested information may exclude you from being considered as a responsive bidder.

When is the earliest date you can mobilize on this project? Please explain how coordination with the proposed builder and early access to the site can be achieved.

We could start on the project immediately upon receipt of notice to proceed (anticipated mid September according to bid documents). If construction of a home is desired while site construction is happening, we can construct a building pad first thing and coordinate with the builder and you/the City on what else may be necessary so the work can be prioritized to make that happen.

Many of our key site personnel also live in Greenfield and New Castle, so they are looking forward to working on a project close to home.

Does your bid price provided as a response include any estimated cost for capping of field tiles? If no, please provide an estimated cost per field tile for capping and filling.

Capping of existing tiles, if encountered, is included.

Thank you in advance for your assistance

Matt Maple, PE
Project Manager

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R.L. Coon Excavating, Inc.
1295 West US Highway 52
Rushville, IN 46173

Commercial - Residential
Phone: (765)-932-2308
Fax: (765)-932-4042

August 27, 2020

Re: Clarification of Bids

Attn: City of Rushville, Matt Maple

Question #1 When is the earliest date you can mobilize on this project? Please explain how coordination with the proposed builder and early access to the site can be achieved.

Upon receiving a signed contract, R.L. Coon will be able to start immediately. The window of opportunity for moving, drying, and compacting the dirt needed for the fill areas is closing. With that being said, the sooner we are awarded the job and receive the contract the sooner we can get staking and start on earthmoving.

I have spoken with Mike Daubenspeck of Joyner homes about quickly preparing a building pad for a spec home. I would like to have a lot ready close to the main entrance if the weather allows. That area lies in the deeper fill area so we would need dry, ideal conditions. There are other possibilities I would be willing to explore with Joyner Homes.

Question #2 Does your bid price provided as a response include any estimated cost for capping of field tiles? If no, please provide an estimated cost per field tile for capping and filling.

Yes, our price includes capping or tying tile into the storm sewer system when applicable. We understand the importance of being good and responsible neighbors. We worked with the City of Rushville after the construction of 16th street by Milestone. A tile was broken down during construction and never repaired causing water to back up in the field to the north and west of the intersection of 16th and Spencer. We also resolved the water not draining in the retention ponds at the same intersection by installing a French drain system to slowly release the water from the ponds.

To see 2 bids come in with a difference of .201% is rare to say the least. Our bonding agent commented that he has never seen numbers that close. If you calculate \$1000.00 at .201% that equates to \$2.01. I understand municipalities most generally choose the lowest bid due to tight budgets. I would like to ask the board to take into consideration the minute difference in our bids, and the fact that R.L. Coon is a local contractor who has worked with the City of Rushville in the past. Most recently R.L. Coon was responsible for demolition, site work, asphalt, exterior



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concrete, sanitary, storm and water services for the City Center building. Also, we are a contributing member of this community thru various community sponsorships including The Amphitheater Park Concert Series and The Pioneer Engineers Club. I, Aaron Coon, represent the third generation in our company that has been in business for 62 years. I believe that R.L. Coon would be the competent and responsible choice for The Boulders project. I look forward to working with the City of Rushville again.

Respectfully,



Aaron Coon

